

MULTIMEDIA



UNIVERSITY

STUDENT IDENTIFICATION NO

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MULTIMEDIA UNIVERSITY

SUPPLEMENTARY EXAMINATION

TRIMESTER 1, 2015/2016

BYL 2024 – CYBERLAW (All Sections)

19 NOV 2015
2.30 PM – 4.30 PM
(2 HOURS)

INSTRUCTION TO STUDENTS

1. This Question paper consists of 2 pages, excluding the cover page.
2. Choose TWO out of FOUR questions. Each question carries 25 marks. No marks will be given for additional answers.
3. Please write your answers in the Answer Booklet provided.

QUESTION ONE

Pevra is a footballer whose career is on the decline. He then decides to set up a blog on football where he writes about the game, football teams and competitions. He signs up with International Services Prodigies, an ISP for the purposes of setting up his email account and his blog. Pevra calls his blog: *The Beautiful Game: A Viewpoint of a Pro*. Soon the blog becomes popular, with hits from countries such as United Kingdom, Malaysia, Australia, Singapore, India, Sri Lanka, many countries from Europe and South America. On a good day, the hits to his website can go as high as 30 000.

Pevra has a personal grudge and professional rivalry against Sluis, the Redpool striker, who he dislikes. After watching a football game between Paraguay and Japan one night, Pevra wrote a review. In his blog, he said "Sluis (who was the captain of the Paraguay team) is a cheat and a racist". As a result of that entry, Sluis started getting hate emails and threatening SMSes. Sluis found out also that he was dropped as the captain of the football team, and no one in his team wanted to talk to him anymore. He was also booed on the field, with fans throwing banana skins at him. Sluis then seeks legal advice, and his lawyers send a notice to Pevra, asking him to publish an apology and withdraw the blog entry.

Pevra not only refuses, but sends an email to all his friends and acquaintances, saying "Not only is Sluis a cheat and a racist, he is a coward as well. He is threatening to sue me now for what I said in my blog. Oh come on, Sluis, we all know you like little boys. I did not mention THAT in my blog. Consider yourself lucky". Pevra also asked all the recipients of the email to forward it. One acquaintance of Sluis, Goyet then forwarded the email to Sluis. Sluis now wants to take legal action.

Discuss.

(25 Marks)

QUESTION TWO

Brian wants to write a book called Cyberspace and You. He seeks your legal advice in order to obtain protection under the law of intellectual property. Advise him on the relevant matters that he needs to consider, including the defence of fair use. You must support your answer with statutory provisions and case-law where relevant and applicable.

(25 Marks)

Continued.....

QUESTION THREE

You are the prosecutor. You have to charge the following people with computer crimes. Set out the law, the Sections and the penalties that are applicable to each case.

- a. Albert is charged with the offence of hacking.
- b. Bert is charged with the offence of virus attack.
- c. Cathy is charged with the offences of hacking into the website of FIMB bank and transferring money into her own account.
- d. David is charged with helping Cathy with the commission of crimes stated in (c) above.
- e. Eva is charged with sending an email to Fergie, informing him that unless he pays her RM 100 000.00, she will kill his son Gary.

(25 Marks)

QUESTION FOUR

Discuss at length the eight principles of the Personal Data Protection Act 2010.

(25 Marks).

(TOTAL:50 Marks)

END OF EXAM QUESTIONS